

AMENDED IN SENATE MAY 12, 2009

AMENDED IN SENATE MAY 4, 2009

AMENDED IN SENATE MARCH 31, 2009

**SENATE BILL**

**No. 283**

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**Introduced by Senator DeSaulnier**

February 24, 2009

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~~An act to amend Sections 18931.6 and 18931.7 of the Health and Safety Code, and to amend Section 13557 of the Water Code, relating to building standards. An act to amend Section 13557 of the Water Code, relating to recycled water, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 283, as amended, DeSaulnier. ~~Building standards; Department of Water Resources:~~ recycled water systems.

~~(1) Existing law requires each city, county, or city and county to collect a fee from any applicant for a building permit, assessed at the rate of \$4 per \$100,000 in valuation, as determined by the local building official, with appropriate fractions thereof, but not less than \$1. Existing law authorizes the city, county, or city and county to retain not more than 10% of the fees collected for related administrative costs and for code enforcement education. Existing law requires the city, county, or city and county to transmit the remainder to the California Building Standards Commission for deposit in the Building Standards Administration Special Revolving Fund, which is established in the State Treasury.~~

~~This bill would require that moneys in the fund be available, upon appropriation, to the Department of Water Resources to carry out a~~

~~specified provision of law relating to design standards for potable and recycled water systems. The bill would also make a technical change to existing law.~~

~~(2) Existing~~

*Existing law*, the Water Recycling Act of 2006, requires the Department of Water Resources, in consultation with the State Department of Health Services, on or before July 1, 2008, to adopt and submit to the California Building Standards Commission regulations to establish a state version of Appendix J of the Uniform Plumbing Code to provide design standards to safely plumb buildings with both potable and recycled water systems.

This bill would revise the date the Department of Water Resources is required to adopt and submit regulations, *as specified*, to the commission to ~~July 1, 2010; December 31, 2009. The bill would, commencing July 1, 2011, and annually thereafter, require the department to review and update, as necessary, the regulations.~~

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 18931.6 of the Health and Safety Code~~  
 2     ~~is amended to read:~~  
 3     ~~18931.6. (a) Each city, county, or city and county shall collect~~  
 4     ~~a fee from any applicant for a building permit, assessed at the rate~~  
 5     ~~of four dollars (\$4) per one hundred thousand dollars (\$100,000)~~  
 6     ~~in valuation, as determined by the local building official, with~~  
 7     ~~appropriate fractions thereof, but not less than one dollar (\$1).~~  
 8     ~~(b) The city, county, or city and county may retain not more~~  
 9     ~~than 10 percent of the fees collected under this section for related~~  
 10    ~~administrative costs and for code enforcement education, including,~~  
 11    ~~but not limited to, certifications in the voluntary construction~~  
 12    ~~inspector certification program, and shall transmit the remainder~~  
 13    ~~to the commission for deposit in the Building Standards~~  
 14    ~~Administration Special Revolving Fund established under Section~~  
 15    ~~18931.7.~~

1 ~~(e) The commission may reduce the rate of the fee upon~~  
2 ~~determining that a lesser amount is sufficient to maintain the~~  
3 ~~programs established under this part.~~

4 ~~SEC. 2. Section 18931.7 of the Health and Safety Code is~~  
5 ~~amended to read:~~

6 ~~18931.7. (a) All funds received by the commission under this~~  
7 ~~part shall be deposited in the Building Standards Administration~~  
8 ~~Special Revolving Fund, which is hereby established in the State~~  
9 ~~Treasury.~~

10 ~~(b) Moneys deposited in the fund shall be available, upon~~  
11 ~~appropriation, to the commission, the department, and the Office~~  
12 ~~of the State Fire Marshal for expenditure in carrying out the~~  
13 ~~provisions of this part, and the provisions of Part 1.5 (commencing~~  
14 ~~with Section 17910) that relate to building standards, as defined~~  
15 ~~in Section 18909, with emphasis placed on the development,~~  
16 ~~adoption, publication, updating, and educational efforts associated~~  
17 ~~with green building standards.~~

18 ~~(c) Moneys in the fund shall also be available, upon~~  
19 ~~appropriation, to the Department of Water Resources for purposes~~  
20 ~~of Section 13357 of the Water Code.~~

21 ~~SEC. 3.~~

22 ~~SECTION 1. Section 13557 of the Water Code is amended to~~  
23 ~~read:~~

24 ~~13557. (a) On or before July 1, 2010 December 31, 2009, the~~  
25 ~~department, in consultation with the State Department of Public~~  
26 ~~Health, shall adopt and submit to the California Building Standards~~  
27 ~~Commission regulations to establish a state version of Appendix~~  
28 ~~¶ Chapter 16 of the Uniform Plumbing Code adopted by the~~  
29 ~~International Association of Plumbing and Mechanical Officials~~  
30 ~~to provide design standards to safely plumb buildings with both~~  
31 ~~potable and recycled water systems.~~

32 ~~(b) The department shall adopt regulations pursuant to~~  
33 ~~subdivision (a) only if the Legislature appropriates funds for that~~  
34 ~~purpose.~~

35 ~~(b) Commencing July 1, 2011, and annually thereafter, the~~  
36 ~~department shall review and update, as necessary, the regulations~~  
37 ~~developed pursuant to subdivision (a).~~

38 ~~(c) This section shall be exempt from the provisions of Section~~  
39 ~~161.~~

1     *SEC. 2. This act is an urgency statute necessary for the*  
2     *immediate preservation of the public peace, health, or safety within*  
3     *the meaning of Article IV of the Constitution and shall go into*  
4     *immediate effect. The facts constituting the necessity are:*

5     *In order to address the current water shortage and permit indoor*  
6     *recycled water use, it is necessary that this act take effect*  
7     *immediately.*